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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,155	11/22/2000	Tsutomu Abe	107955	1909

25944 7590 11/05/2003

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EXAMINER

KASSA, YOSEF

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 11/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/717,155

Applicant(s)

ABE ET AL.

Examiner

YOSEF KASSA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/22/2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claim 1-7 and 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Moro (5,995,245).

With regard to claim 1, Moro discloses an image pickup unit (see Fig. 1, item 30 image reading unit) for imaging a plurality of targeted adjacent portions at the same optical magnification rate to obtain a plurality of images (see col. 6, lines 28-35, that is read images S1, G0, G1 and G20); a measuring unit for measuring a plurality of distances to a plurality of points respectively set on the plurality of targeted adjacent portions (see col. 6, lines 23-28 and col. 2, lines 29-38, the read points are S1, G0 and

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G1); and a processing unit for perspectively transforming, i.e., image magnified, the plurality of images based on the plurality of distances to obtain a plurality of plane images (see col. 7, lines 1-13), the processing unit for resizing the plurality of plane images in order for the plurality of plane images to have the same size (see col. 2, lines 25-28 and col. 7, lines 50-60).

With regard to claim 2, Moro discloses the processing unit synthesizes the plurality of plane images each having the same size as a result of the resizing to form a single image (see col. 7, lines 53-62).

With regard to claim 3, Moro discloses an image pickup device for obtaining the plurality of images at the plurality of targeted adjacent portions; and a changing unit for changing the image obtaining direction of the image pickup device (see col. 4, lines 57-65).

With regard to claim 4, Moro discloses image pickup unit and the changing unit obtain the plurality of images at the plurality of targeted adjacent portions based on a control signal (see col. 7, lines 63-67).

Claims 5 and 6 are similarly analyzed as claims 1 and 2.

Claim 7 is similarly analyzed as claim 1. As to the additional limitations of imaging a specific portion of the object at a higher resolution than the predetermined resolution to obtain a second image (see col. 7, lines 1-13, the read images S1 and G1 are scanned from different surface area of the book, which means the image resolution of S1 and G1 is different), and superimposing the reduced second image on the first image (see col. 7, lines 24-37, image comparison process).

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Claim 9 is similarly analyzed as claim 1.

Claim 10 is similarly analyzed as claim 2.

Claim 11 is similarly analyzed as claim 7.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moro (5,995,245), and further in view of Tone et al (5,146,275).

Claims 8 and 12 are similarly analyzed as claim 7.

Moro is silent about specific details regarding the step of synthesizing the plurality of image to obtain a single image. In the same field of endeavor, however, Tone et al discloses composing processing means for composing data of the mark images extracted from document image (see col. 3, lines 24-35). At the time of the invention was made, it would have been obvious to incorporate an image composing process as taught by Tone et al in the system of Moro because Tone et al provides Moro's system a plurality scanned document image composing process.

***Other Prior Art Cited***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. (5,831,750) to Okisu et al discloses image reader having height distribution correction for a read document.

US Patent No. (5,764,383) to Saund et al et al discloses platenless book scanner with line buffering to compensate for image skew.

US Patent No. (5,764,379) to Matsuda et al discloses document scanner for book document.

US Patent No. (5,539,524) to Hasebe et al discloses image processing apparatus.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF KASSA whose telephone number is (703) 306-5918. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BHAVESH MEHTA can be reached on (703) 308-5246. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306 for regular communication and (703) 872-9306 for after Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (703) 306-5631. The group receptionist number for TC 2600 is (703) 305-4700.

**PATENT EXAMINER**

Yosef Kassa

10/30/03.



**BHAVESH M. MEHTA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**